

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bobrov, Yuri; Ignatov, Leonid; Khan, Ir Gvon
Assignee: OPTIVA, Inc.
Title: DECORATIVE MATERIAL AND METHOD OF ITS FABRICATION
Serial No.: Unknown Filed: Herewith
Examiner: Unknown Group Art Unit: Unknown
Docket No.: M-5692 US



San Jose, California
September 28, 1999

BOX PATENT APPLICATION
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D. C. 20231

**PETITION UNDER 37 C.F.R. 1.47(a) IN CONNECTION WITH AN
INVENTOR WHO REFUSES TO SIGN THE DECLARATION**

Dear Sir:

One of the inventors, Ir Gvon Khan, has refused to sign the declaration. Therefore, the Declaration is executed by the other inventors, both on behalf of themselves and on behalf of the unavailable inventor.

Per MPEP 409.03(a), "An oath or declaration signed by all the available joint inventors with the signature block of the non-signing inventor(s) left blank may be treated as having been signed by all the available inventors on behalf of the non-signing inventor(s), unless otherwise indicated."

The last known address for the refusing inventor is:

Russia, Moscow Region
141700, Dolgoprundny City
propsect Patsaeva 17, kv. 26

The pertinent facts regarding the refusal of Mr. Khan to sign the declaration are as follows:

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LAW OFFICES OF
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Upon information and belief, Mr. Khan has consistently expressed to Mr. Pavel Lazarev, Chairman of the Board, Optiva, Inc, his unwillingness to execute any documents with respect to filing the application in the U.S. PTO. On August 4, 1999, Optiva, Inc. delivered directly to Mr. Khan, a copy of the priority PCT Application together with the Declaration in order to obtain Mr. Khan's dated signature on the Declaration. A copy of the letter (Exhibit A) with Mr. Khan's signature on the bottom confirming the delivery is enclosed.

Further, on July 28, 1999, the undersigned sent Mr. Khan by International Federal Express another copy of the priority PCT Application and the Declaration paper for signature. Copies of the letter (Exhibit B) and Federal Express waybill (Exhibit C) are enclosed. Mr. Khan has not responded by the date indicated in the letter of July 28, 1999. However, if Mr. Khan provides a signed declaration in response, the signed declaration will be filed with the U.S. Patent and Trademark Office.

Please charge Deposit Account No. 19-2386 the amount of \$130.00 for the required fee under 37 CFR. §§ 1.47(a) and 1.17(h). The Commissioner is hereby authorized to charge any amounts underpaid for this Petition, and credit any overpayments to the same Deposit Account No. 19-2386.

Respectfully submitted,

Roberta P. Saxon

Roberta P. Saxon
Agent for Applicants
Reg. No. 43,087

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